

- f. Site plans, floor plans, mechanical and plumbing plans and details to show all sewers, sewer connections, and appurtenances by the size, location and elevation;
- g. Description of activities, facilities, and plant processes on the premises including all materials which are or could be discharged;
- h. Where known, the nature and concentration of any pollutants in the discharge which are limited by the City, State or Federal Pretreatment Standards, and a statement regarding whether or not the pretreatment standards are being met on a consistent basis and if not, whether additional pretreatment is required for the user to meet applicable Pretreatment Standards;
- i. If additional pretreatment will be required to meet the Pretreatment Standards, the shortest schedule by which the user will provide such additional pretreatment. The completion date in this schedule shall not be later than the compliance date established for the applicable Pretreatment Standards;

The following conditions shall apply to this schedule:

- 1. The schedule must be acceptable to the City of Taylorsville.
- 2. The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable Pretreatment Standards.
- 3. Not later than 14 days following each date in the schedule and the final date for compliance, the user shall submit a progress report to the Superintendent including, as a minimum, whether or not it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with this increment of progress and the reason for delay, and the steps being taken by the user to return the construction to the schedule established.
- j. Each product produced by type, amount, process or processes, and the rate of production;
- k. Type and amount of raw materials processed (average and maximum per day);
- l. Number of employees, and hours of operation of plant and proposed or actual hours of operation of pretreatment system;
- m. Any other information as may be deemed by the City of Taylorsville to be necessary to evaluate the permit application;
- n. A copy of the industry's written environmental control program, comparable document, or policy.

3. Issuance

The City of Taylorsville shall evaluate the data furnished by the user and may require additional information. After evaluation and acceptance of the data furnished, the City of Taylorsville may issue an Industrial Wastewater Discharge Permit subject to terms and conditions provided herein.

C. Permit Modifications

Within nine (9) months of the promulgation of a National Categorical Pretreatment Standards, the Industrial Wastewater Discharge Permit of users subject to such standards shall be revised to require compliance with such standards within the time frame prescribed by such standards.

Where a user, subject to National Categorical Pretreatment Standards, has not previously submitted an application for an Industrial Wastewater Discharge Permit as required, the user shall apply for an Industrial Wastewater Discharge Permit within ninety (90) days after the promulgation of the applicable National Categorical Pretreatment Standards. In addition, the user with an existing Industrial Wastewater Discharge Permit shall submit, to the City of Taylorsville within ninety (90) days after the promulgation of an applicable Federal Categorical Pretreatment Standard, the information required by this ordinance.

D. Permit Conditions

Industrial Wastewater Discharge Permits shall be expressly subject to all provisions of this ordinance and all other applicable regulations, user charges and fees established by the City of Taylorsville. Permits may contain the following:

1. The unit surcharges or schedule of other charges and fees for the wastewater to be discharged to a community sewer;
2. Limits on the average and/or maximum wastewater constituents and characteristics;
3. Limits on average and/or maximum rate and time of discharge or requirements for flow regulations and equalization;
4. Requirements for installation and maintenance of inspection and sampling facilities;
5. Specifications for monitoring programs which may include sampling location; frequency of sampling; number, type and standards for tests; and reporting schedule;
6. Compliance schedules;
7. Requirements for submission of technical reports or discharge reports;
8. Requirements for maintaining and retaining, for a minimum of three (3) years, all plant records relating to pretreatment and/or wastewater discharge as specified by the City of Taylorsville, and affording City of Taylorsville access thereto as required by 40 CFR 403.12(o)(2);

9. Requirements for notification of the City of Taylorsville or any new introduction of wastewater constituents or any substantial change in the volume or character of the wastewater constituents being introduced into the wastewater treatment system;
10. Requirements for notification of slug discharges;
11. The permit may require the user to reimburse the Sanitation District for all expenses related to monitoring, sampling and testing performed at the direction of the Superintendent and deemed necessary by the City of Taylorsville to verify that the user is in compliance with the said permit;
12. Other conditions as deemed appropriate by the City of Taylorsville to ensure compliance with this ordinance.

E. Alternative Discharge Limits

Where an effluent from a categorical industrial process(es) is mixed prior to treatment with wastewater other than that generated by the regulated process, fixed alternative discharge limits may be derived for the discharge permit by the Superintendent. These alternative limits shall be applied to the mixed effluent and shall be calculated using the Combined Wastestream Formula and/or Flow-Weighted Average Formula as defined in Article I.

Where the effluent limits in a Categorical Pretreatment Standard are expressed only in terms of mass of pollutants per unit of production (production-based standard), the Superintendent may convert the limits to equivalent limitations expressed either as mass of pollutant discharged per day or of effluent concentration for purposes of calculating effluent permit limitations applicable to the permittee. The permittee shall be subject to all permit limits calculated in this manner under 40 CFR 403.6(c) and must fully comply with these alternative limits.

All categorical users subject to production-based standards must report production rates annually so that alternative permit limits can be calculated if necessary. The categorical user must notify the Superintendent thirty (30) days in advance of any major change in production levels that will affect the limits for the discharge permit.

F. Permit Duration

Permits shall be issued for a specified time period, not to exceed five (5) years. A permit may be issued for a period less than a year or may be stated to expire on a specific date. The user shall apply for permit reissuance a minimum of sixty (60) days prior to the expiration of the user's existing permit. The terms and conditions of the permit may be subject to modification by the City of Taylorsville during the term of the permit as limitations or requirements as identified in Article V are modified or other just cause exists. The user shall be informed of any proposed changes in their permit at least thirty (30) days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

G. Permit Transfer

Industrial User Permits are issued to a specific user for a specific operation. An Industrial User Permit shall not be reassigned or transferred or sold to a new owner, new user, different premises, or a new or changed operation without a thirty (30) day prior notification to the Superintendent and provision of a copy of the existing permit to the new owner. The Superintendent may deny the transfer of the permit if it is deemed necessary.

H. Compliance Data Reporting

Within ninety (90) days following the date for final compliance with applicable categorical Pretreatment Standards or, in the case of a new user, following commencement of the introduction of wastewater into the POTW, any user subject to Federal Categorical Pretreatment Standards and Requirements shall submit, to the Superintendent, a report indicating the nature and concentration of all pollutants in the discharge from the regulated process which are limited by Categorical Pretreatment Standards and Requirements and the average and maximum daily flow for these process units in the user's facility which are limited by such Categorical Standards and Requirements. The report shall state whether the applicable Categorical Pretreatment Standards and Requirements are being met on a consistent basis and, if not, what additional pretreatment and time schedule is necessary to bring the user into compliance with the applicable Categorical Pretreatment Standards or Requirements. This statement shall be signed by an authorized representative of the user.

I. Periodic Compliance Reports

1. All significant industrial users shall submit, to the Superintendent, every six (6) months (on dates specified in the Industrial User Permit) unless required more frequently by the Permit, a report indicating, at a minimum, the nature and concentration, of pollutants in the effluent which are limited by such Pretreatment Standards or discharge permit. In addition, this report shall include a record of all daily flows which during the reporting period exceeded the average daily flow. At the discretion of the Superintendent and in consideration of such factors as local high or low flow rates, holidays, budget cycles, etc., the Superintendent may agree to alter the months during which the above reports are to be submitted.
2. All analyses shall be performed by a laboratory acceptable to the City of Taylorsville. Analytical procedures shall be in accordance with procedures established by the U.S. EPA Administrator pursuant to Section 304(g) of the Act and contained in 40 CFR, Part 136 and amendments thereto and 40 CFR 261 or with any other test procedures approved by the U.S. EPA Administrator. Sampling shall be performed in accordance with the techniques approved by the U.S. EPA Administrator.
3. Where 40 CFR, Part 136 does not include a sampling or analytical technique for the pollutant(s) in question sampling and analysis shall be performed in accordance with the procedures set forth in the EPA publication "Sampling and Analysis Procedures for Screening of Industrial Effluents for Priority Pollutants," April 1977, and amendments thereto, or with any other sampling and analytical procedures approved by the U.S. EPA Administrator.

4. A Baseline Monitoring Report (BMR) must be submitted to the Superintendent by all categorical industrial users at least ninety (90) days prior to initiation of discharge to the sanitary sewer. The BMR must contain, at a minimum, the following:
 - a. Production Data: a process description, SIC code number, raw materials used, chemicals used, final product, pretreatment industrial category (if applicable), and a schematic which indicated points of discharge to the sewer system.
 - b. Identifying information to include name, address of facility, owner(s), contact person and any other permits held by the facility.
 - c. Wastewater characteristics: total plant flow, types of discharges, average and maximum flows from each process.
 - d. Nature/Concentration of pollutants: analytical results for all pollutants regulated by this ordinance and/or any applicable federal pretreatment standard and sample type and location. All analyses must conform with 40 CFR, Part 136 and amendments thereto.
 - e. Information concerning any pretreatment equipment used to treat facility's discharge.
5. New sources shall give estimates of the information requested in sections (c) and (d) above, but at no time shall a new source commence discharge(s) to the public sewer of substances that do not meet provisions of this ordinance. All new sources must be in compliance with all provision of this ordinance, State and Federal pretreatment regulations prior to commencement of discharge to the public sewer.

J. Permit Violations

1. All significant industrial users must notify the Superintendent within 24 hours of first becoming aware of a permit violation. This notification shall include the date of violation, the parameter violated and the amount in exceedance.
2. The user shall immediately repeat the sampling and analysis of the parameter(s) in question and submit the results to the Superintendent within thirty (30) days after becoming aware of the violation. Exception to this regulation is only if the City of Taylorsville performs the sampling within the same time period for the same parameter(s) in question.

K. Monitoring

1. The City of Taylorsville shall require significant users to provide and operate, at the user's own expense, monitoring facilities and equipment necessary to allow inspection, sampling, and flow measurement of the building sewer and/or internal drainage system. The monitoring facility should normally be situated on the user's premises, but the City of Taylorsville may, when such a location would be impractical or cause undue hardship to the user, allow the facility to be constructed in a public right-of-way. The Superintendent shall review and approve the location, plans, and specifications for such

motoring facilities and may require them to be constructed to provide for the separate monitoring and sampling of industrial waste and sanitary sewage flows.

There shall be ample room in or near such sampling manhole or facility to allow accurate sampling and preparation of samples for analysis. The facility shall be designed and maintained in a manner such that the safety of City of Taylorsville and industrial personnel shall be foremost. The facility, sampling, and measuring equipment shall be maintained at all times in a proper operating condition at the expense of the user.

Whether constructed on public private property, the sampling and monitoring facilities shall be provided in accordance with the City of Taylorsville 's requirements and all applicable local construction standards and specifications. Construction shall be completed within ninety (90) days following approval of the location, plans and specifications.

2. All sampling analyses done in accordance with approved federal EPA procedures by the industrial user during a reporting period shall be submitted to the Superintendent regardless of whether or not that analysis was required by the industrial user's discharge permit.
3. The industrial user must receive the approval of the Superintendent before changing the sampling point and/or monitoring facilities to be used in all required sampling.

L. Inspection and Sampling

The City of Taylorsville shall inspect the facilities of any user to ascertain whether the purpose of this ordinance is being met and all requirements are being complied with. Persons or occupants of premises where wastewater is created or discharged shall allow the City of Taylorsville or their representative ready access at all reasonable times to all parts of the premises for the purposes of inspection, sampling, copying records, records examination or in the performance of any of their duties.

The City of Taylorsville, Approval Authority and EPA shall have the right to set up on the user's property such devices as are necessary to conduct sampling, inspection, compliance monitoring and/or metering operations. Where a user has security measures in force which would require proper identification and clearance before entry onto their premises, the user shall make the necessary arrangements with their security guards so that upon presentation of suitable identification, personnel from the City of Taylorsville, Approval Authority and EPA will be permitted to enter, without delay, for the purposes of performing their specific responsibilities.

M. Pretreatment

All significant industrial users shall provide necessary wastewater treatment as required to comply with this ordinance and achieve compliance with any applicable Federal Categorical Pretreatment Standards within the time limitations as specified by the Federal Pretreatment Regulations. The City of Taylorsville may require the development of a compliance schedule for installation of any industrial user that cannot meet discharge limits required by this ordinance. Any facilities required to pretreat wastewater to a level required by this ordinance shall

be provided, operated, and maintained at the user's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the City of Taylorsville for review, and shall be acceptable to the City of Taylorsville before construction of the facility.

The review of such plans and operating procedures will in no way relieve the user from the responsibility of modifying the facility as necessary to produce an effluent that complies with the provisions of this ordinance. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the City of Taylorsville prior to the user's initiation of the changes.

N. Annual Publication

The City of Taylorsville shall annually publish in its largest daily newspaper a list of significant users which were in significant noncompliance with any Pretreatment Requirements or Standards. The notification shall also summarize any enforcement actions taken against the user(s) during the same twelve (12) months.

All records relating to the City of Taylorsville's Pretreatment Program shall be made available to officials of the EPA or Approval Authority upon request. All records shall be maintained for a minimum of three (3) years in accordance with 40 CFR 403.12(0)(2).

O. Significant Non-Compliance

A user is defined as being in significant noncompliance when it commits one or more of the following conditions:

1. Causes imminent endangerment to human health or the environment or results in the exercise of emergency authority;
2. Involves failure to report noncompliance accurately;
3. Results in a chronic violation defined here as sixty-six percent (66%) or more of all measurements taken during a six (6) month period that exceed (by any magnitude) the daily maximum limit or the monthly average limit for the same pollutant parameter;
4. Results in a Technical Review Criteria (TRC) Violation defined here as thirty-three percent (33%) or more of all measurements for each pollutant parameter taken during a six (6) month period that equal or exceed the product of the daily maximum limit or the average limit multiplied by the applicable TRC ($TRC = 1.4$ for BOD, TSS, fats, and oil & grease and 1.2 for all other pollutants except pH);
5. Any violation of a pretreatment effluent limit that the Control Authority determines has caused, alone or in combination with other discharges, interference or pass through or has endangered the health of the POTW personnel or the public;
6. Any discharge causing imminent endangerment to human health/welfare or to the environment or resulting in the POTW's use of its emergency authority to halt or prevent such a discharge;

7. Violations of Compliance Schedule Milestones, failure to comply with schedule milestones for starting or completing construction or attaining final compliance by ninety (90) days or more after the schedule date;
8. Failure to provide required reports within thirty (30) days of the due date;
9. Any violation or group of violations which the Control Authority determines will adversely affect the operation or implementation of the local pretreatment program.

P. Confidential Information

Information and data on a user obtained from reports, questionnaires, permit applications, permits and monitoring programs and from inspections shall be available to the public or other governmental agency without restriction unless the user specifically requests in writing and is able to demonstrate to the satisfaction of the City of Taylorsville that the release of such information would divulge information, processes, or methods of production entitled to protection as trade secrets of the user.

When requested by the person furnishing a report, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public but shall be made available to all governmental agencies for uses related to this ordinance, the NPDES/KPDES Permit, Sludge Disposal System Permit and/or the Pretreatment Programs upon request. Such portions of a report shall be available for use by the State or any State agency in judicial review or enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics shall not be recognized as confidential information and shall be available to the public without restriction.

Q. Signatory Requirements

All applications, reports or information submitted to the City of Taylorsville shall be signed and certified.

1. All permit applications shall be signed:
 - a) For a corporation: by a principal executive officer of at least the level of vice-president;
 - b) For a partnership or sole proprietorship: by a general partner or the proprietor, respectively.
2. All other correspondence, reports and self-monitoring reports shall be signed by a person described above or by a duly authorized representative of that person. A person is duly authorized only if:
 - a) The authorization is made in writing by a person described above;
 - b) The authorization specified either an individual or a position having facility or activity, such as the position of plant manager, superintendent or position of equivalent responsibility.

3. Certification. Any person signing a document under this section shall make the following certification:

"I certify under penalty of law that I am familiar with the information contained in this report and its attachments and that to the best of my knowledge and belief such information is true, complete and accurate."

ARTICLE VII - FEES

A. Purpose

This article provides for the recovery of costs from users of the POTW for the implementation of the program established herein. The applicable charges or fees shall be set forth in the City of Taylorsville's Schedule of Charges and Fees.

B. Charges and Fees

The City of Taylorsville may adopt charges and fees which may include:

1. fees for reimbursement of costs of setting up and operating the Sanitation District's Pretreatment Program;
2. fees for monitoring, inspections, and surveillance procedures;
3. fees for reviewing accidental discharge procedures and construction;
4. fees for permit applications;
5. fees for filing appeals;
6. fees for consistent removal by the POTW of excessive strength conventional pollutants;
7. fee for reimbursement of cost for any consulting engineering services to conduct studies, review reports, evaluate discharge limits, surcharges, or any other service relating to the development of Industrial User Permit(s).
8. other fees as the City of Taylorsville may deem necessary to carry out the requirements contained herein.

These fees relate solely to the matters covered by this ordinance and are separate from all other fees chargeable by the City of Taylorsville.

ARTICLE VIII - POWERS AND AUTHORITY OF INSPECTORS

A. Right to Enter Premises

The Superintendent and other duly promulgated employees and representatives of the City of Taylorsville and authorized representatives of applicable Federal and State regulatory agencies bearing proper credentials and identification shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling, and testing pertinent to discharge to the public sewer system in accordance with the provisions of this ordinance.

B. Right to Obtain Information Regarding Discharge

The Superintendent and other duly authorized employees of the City of Taylorsville and authorized representatives of applicable Federal and State regulatory agencies bearing proper credentials and identification are authorized to obtain information including but not limited to copying of records concerning character, strength and quantity of industrial wastes which have a direct bearing on the kind and source of discharge to the wastewater collection system.

C. Access to Easements

Duly authorized employees and representatives of the City of Taylorsville bearing proper credentials and identification shall be permitted to enter all private properties through which the City of Taylorsville holds a duly negotiated easement for the purpose of, but not limited to, construction, inspection, observation, measurement, sampling, repair, and maintenance of any portions of the wastewater facilities lying within said easement. All entry and subsequent work, if any said easement shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

D. Safety

While performing the necessary work on private properties referred to in Section C above, all duly authorized employees of the City of Taylorsville shall observe all safety rules applicable to the premises established by the company. The company shall be held blameless for injury or death to City of Taylorsville employees. The Sanitation District shall secure the company against loss or damage to its property by City of Taylorsville employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions required by this ordinance.

ARTICLE IX - ENFORCEMENT

A. General

The City of Taylorsville through the Superintendent or his designee, shall insure compliance with this ordinance, and as permitted through 40 CFR Subchapter N, and 401 KAR 5:055, may take the following enforcement steps against users in noncompliance with the ordinance. The remedies available to the POTW include injunctive relief, civil and criminal penalties, immediate discontinuance of discharges and/or water service and the publishing of the list of significant violators annually. The enforcement authority shall be vested in the Superintendent or their designee.

The Superintendent may suspend the wastewater treatment service and/or an Industrial User Permit when such suspension is necessary, in the opinion of the City of Taylorsville, in order to stop an actual or threatened discharge which presents or may present an imminent or substantial endangerment to the health or welfare of persons, to the environment, causes interference to the POTW or causes the City of Taylorsville to violate any condition of its NPDES/KPDES permit.

Any user notified of a suspension of the wastewater treatment service and/or the Industrial User Permit shall immediately stop or eliminate the contribution. In the event of a failure of the person to comply voluntarily with the suspension order, the City of Taylorsville shall take such steps as deemed necessary including immediate severance of the sewer connection, to prevent or minimize damage to the POTW system or endangerment to any individuals. City of Taylorsville shall reinstate the Industrial User Permit and/or the wastewater treatment service upon proof of the elimination of the non-complying discharge. A detailed written statement submitted by the user describing the causes of the harmful contribution and the measures taken to prevent any future occurrence shall be submitted to the City of Taylorsville within fifteen (15) days of the date of occurrence.

B. Notice of Violation

Any user found to be violating any provision of this ordinance, wastewater permit, or any order issued hereunder, shall be served by the City of Taylorsville with written notice stating the nature of the violation(s). Within ten (10) days of the receipt date of this notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted to the Superintendent. Submission of this plan in no way relieves the user of potential liability for any violation occurring before or after receipt of the Notice of Violation.

If the violations persist or the explanation and/or plan are not adequate, the City of Taylorsville's response shall be more formal and commitments (or schedules as appropriate) for compliance will be established in an enforceable document. The enforcement response selected will be escalated if compliance is not achieved expeditiously after the initial action. A significant noncompliance as defined in Article VI, Subparagraph O, will require a formal enforcement action.